

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

DEMEIA JOHNSON, ET AL.,

38

Plaintiffs,

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V.

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# UNION PACIFIC RAILROAD COMPANY,

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CIVIL NO. 6:17-cv-653

Defendant

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## JURY TRIAL

V.

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METRA WHITE AND TONY  
HANDSBOROUGH,

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## Intervenors

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**ORDER GRANTING PLAINTIFFS' AND INTERVENORS'  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

BE IT REMEMBERED that on this day came on to be heard Plaintiffs' and Intervenors' Motion for Partial Summary Judgment, and the Court after considering said Motion, all briefing, the arguments and positions of the parties, and the interests of justice, is of the opinion that said Motion should be and is hereby **GRANTED**.

It is therefore **ORDERED** that Defendant Union Pacific Railroad Company's defenses in the nature of comparative negligence or proportionate responsibility and failure to mitigate damages, which are contained in Paragraphs E and F of Defendant's Supplemental Answer to Plaintiffs' and Intervenors' Fourth Amended Complaint, be and the same are hereby **STRICKEN**.